

# Sage Legal LLC

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July 22, 2025

**VIA ECF**

United States District Court  
Eastern District of New York  
Attn: Hon. Peggy Kuo, U.S.M.J.  
225 Cadman Plaza East  
Courtroom 11C South  
Brooklyn, NY 11201-1804

***Re: Zubiria v. Expresito, Inc., et ano.***

**Case No.: 1:25-cv-1972 (PK)**

Dear Judge Kuo:

This firm represents the Defendants Expresito, Inc (hereinafter “Expresito” or the “Corporate Defendant”) and Alfredo Padilla (hereinafter “Padilla” or the “Individual Defendant”) (the Corporate Defendant and the Individual Defendant collectively hereinafter the “Defendants”) in the above-referenced case, who write jointly with Plaintiff with a proposed resolution to Defendants’ request for a pre-motion conference in anticipation of their motion to dismiss the complaint for failure to exhaust administrative remedies and for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure (hereinafter referred to as “Rules” or “Rule”).

After timely meeting and conferring with Plaintiff in connection with the joint proposed discovery plan called for in this Court’s April 11, 2025 initial conference Order, the parties agreed to resolve the request for a pre-motion conference as follows:

- (i) The parties agree to stay this case for a period of one hundred forty six (146) days upon receipt of this Court’s Order staying the case and remanding Plaintiff’s claims back to the United States Equal Employment Opportunity Commission (“EEOC”);
- (ii) The parties will avail themselves of the conciliation mechanisms afforded by the EEOC during the period of the stay; and
- (iii) The parties will report to the Court about the status of the case upon the conclusion of the stay period.

The parties are prepared to provide this Court with a proposed Order for its consideration should the Court wish to review same. Based on the foregoing, Defendants respectfully submit that the parties need not submit a joint proposed discovery plan at this time.

The parties thank this honorable Court for its time and attention to this case.

Dated: Jamaica, New York  
July 22, 2025

Respectfully submitted,

**SAGE LEGAL LLC**

/s/ Emanuel Kataev, Esq.

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**VIA ECF**

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